

SF FILE NUMBER



335399

CONSENT TO ACCESS

FILE PLAN

2.0

7162

UNITED PARK CITY MINES COMPANY ("UPCMC"), owner of the property known as Richardson Flat Tailings, located in the NW1/4, Section 1, Township 2 South, Range 4 East, Summit County, Utah (the "Site"), agrees, subject to the understandings provided herein, to allow the employees and other authorized representatives of the United States Environmental Protection Agency ("EPA") and of the Utah Department of Environmental Quality ("UDEQ") (collectively the "Government Representatives") to enter upon the Site on the dates of November 9, 1992 through and including November 10, 1992, after meeting with UPCMCM personnel at 10:00 am on November 9, 1992, at the junction of Highways U 248 and US 40, solely for the following purposes:

(1) On November 9, 1992, to obtain water samples, which are to be collected by Ecology & Environment, Inc., EPA's contractor, from three monitoring wells in and around the Park City Municipal Corporation's Landfill site; and

(2) On November 10, 1992, under direction of Roy F. Weston, Inc., EPA's contractor, to perform a gamma ray probe investigation of Monitoring Wells Nos. 1, 2, and 3 in the Park City Municipal Corporation's Landfill site.

UPCMC will be provided with splits of each sample taken, will be given a receipt describing each sample taken, and will be promptly furnished with a copy of the results of any analysis made of samples taken.

It is understood that the Government Representatives shall notify UPCMCM in writing of the names, titles and employers of the individuals who will be entering onto the Site prior to their entry.

It is understood that the Government Representatives shall promptly provide UPCMCM with copies of any and all photographs taken of the Site and of any final reports made or data collected from the above-described activities.

The Government Representatives shall be accompanied by UPCMCM personnel at all times while the Government Representatives are on the Site. UPCMCM will provide sufficient UPCMCM personnel to accompany the Government Representatives that EPA has represented will be at the Site to perform the above-described activities. Prior to the Government Representatives' entry upon the Site, the Government Representatives shall meet with UPCMCM personnel at 10:00 am on November 9, 1992, at the junction of Highways U 248 and US 40 and then proceed to the Site.

It is understood that prior to the Government Representatives' completion of activities at the Site on November 10, 1992, the Government Representatives will remove from the Site all discarded materials, rubbish, protective clothing, and unused chemicals and sampling devices which they brought on the Site during the period of November 9, 1992 through November 10, 1992.

UPCMC understands that the above-described activities by the EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9604. As of this date, UPCM, in giving this consent, is not responding to any threats nor is it relying upon any additional promises, representations or claims, either oral or written, made by any Government Representative, other than the understandings specified in this Consent to Access.

The officer of UPCM who signs this Consent to Access on behalf of UPCM is authorized to sign on behalf of UPCM.

UNITED PARK CITY MINES COMPANY

November 9, 1992
(Date)

BY:

Its

Ernie H. O'Neil
Executive Vice President

RJB:102892a